

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983

Name Walker Jeffery E

(Last) (First) (Initial)

Prisoner Number E11343

Institutional Address LMF P.O. Box 2000
Vacaville CA 95696-2000

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CRB

Jeffery Eugene Walker
 (Enter the full name of plaintiff in this action.)

vs.

John doe 1
John doe 2
Jane doe - senior deputy
 (Enter the full name of the defendant(s) in this action.)

08**0802**

Case No. _____
 (To be provided by the clerk of court)

**COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 42 U.S.C. §§ 1983**

E-filing**(PR)**

[All questions on this complaint form must be answered in order for your action to proceed.]

I. Exhaustion of Administrative Remedies

[Note: You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement California medical Facility

B. Is there a grievance procedure in this institution?

YES ☒ NO ()

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ☒ NO ()

D. If your answer is YES, list the appeal number and the date and result of the appeal at

each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal

2. First formal level

3. Second formal level

Sergeant interviewed at
San Francisco Jail Jan-06

4. Third formal level

E. Is the last level to which you appealed the highest level of appeal available to you?

YES (X) NO ()

F. If you did not present your claim for review through the grievance procedure, explain why.

II. Parties

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

JEFFERY E. WALKER F113413

CALIF P.O. BOX 2000

VACAVILLE CA 95676-2000

B. Write the full name of each defendant, his or her official position, and his or her place of employment.

John doe 1 Floor Officer C-T-8 San Francisco Jail

John doe 2 unknown assigned post - San Francisco Jail

Jane doe San Francisco County Jail senior deputy

COMPLAINT

1 *see Added page*
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4 **III. Statement of Claim**

5 State here as briefly as possible the facts of your case. Be sure to describe how each
6 defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any
7 cases or statutes. If you have more than one claim, each claim should be set forth in a separate
8 numbered paragraph.

9 *see Added page*
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22 **IV. Relief**

23 Your complaint cannot go forward unless you request specific relief. State briefly exactly what
24 you want the court to do for you. Make no legal arguments; cite no cases or statutes.

25 *see Added page*
26
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Grounds:

Violations of Eighth Amendment clause Misuse of force by the cruel and unusual punishment clause as well as the fourteenth Amendment as well as fourth Amendment were officers acted in Malice

III. Statement of claim

On or about december 18-05 the plaintiff Jeffery Walker was incarcerated at San-Francisco county Jail CJ-8 Housing unit during events described in this complaint
2. defendants Officers John doe 1 and John doe 2 are county jail officers employed by the city and county of san Francisco county Jail. They are being sued in there Individual capacity.

3. Defendant Jane doe is the supervisor senior officer who was present and had Failed to intervene and stop defendants John doe 1 and John doe 2 Jane doe also failed to report this to her supervisor to have officers disciplined therefore she is being sued in her official capacity as supervisor.

4. all defendants have acted and continue to act under color of state law at all times relevant to this complaint.

5. On or about December 18 05 at aproxamatly seven thirty or so plaintiff was let out of his cell in hand cuffs by officer John doe 1 to get a shave in another room before his court scheduled the next day.

6. While walking with officer john doe plaintiff made a coment to a female friend who had made a coment to plaintiff.

7. Officer John doe then Slamed plaintiff against the window face first and then took plaintiff to the ground while defendant hit plaintiff several times in face and body and called plaintiff derogatory names.

8. Officer John doe then called another officer John doe 2 who assisted in The excessive use of force dragging plaintiss to his cell.

Added Page

9. while at plaintiffs cell officer John doe 1 and John doe 2 had plaintiff
laid on the ground were officer john doe two stepped on plaintiffs hand
with his boot causing pain and briusing.

10. both officers called plaintiff names humiliatig and demening plaintiff
further cuasing mental health issues were plaintiff will be affected for
life and now suffers from paranoia and other issues thats hospitalized
plaintiff.

I swere under the penalty of perjury that the foregoing statements presented
are true and to the best of my ability to recall.

it should also be noted that plaintiff was not resisting during any of the
acts noted. x

Date 1-26-08

Jeffrey Walker
Jeffrey Walker

Demand and Request for jury trial noted

1.compensatory damages in the following amounts:

A.100.000 jointly against defendants John doe 1 and John doe 2 for the physical injuries and emotional as well as mental health issues sustained as a result of the plaintiffs beating, and causing of both medical and mental health issues

2.50.000 against Jane doe supervisory official senior deputy who was present during acts and had failed to stop or intervene causing physical and emotional and mental health issues due to her negligence to adequately intervene.

Punative Awards in the following amounts

50.000 dollars each against officer John doe 1 and John doe 2

20.000 against Jane doe supervisor senior deputy.

And any other Judgements the court deems appropriate that I don't

Know of

Grant such relief as it may appear that plaintiff is entitled.

Request For Counsel

Reasons Noted for request

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4 1. I am an E.O.P Inmate at vacaville State prison. E.O.P Is Extended out patient
5 Program for mental health patients who have mental illnesses that in able the
6 to function on a main line.

7 2. My mental illness as noted in exhibit causes me to not stay focused were I
8 loose my concentration and or am so depressed that I just dont finish what I
9 Start.

10 3. Also because of the seriousness of the claim against both the medical mental
11 health department Makes it unlikely I could Investigate the facts and gather
12 witnesses who were present at the time.

13 A. This will also require Extensive documentary discovery, depositions of jail
14 and mental health officials. or access to witnesses I cannot get to, such as,
15 inmates thats been released or sent to various prisons etc.
16 please note that the Sanfrancisco general hospital has a policy stating they
17 no longer will give incarcerated inmates copies of medical or mental health
18 records.

19 B there will be possible conflicting evidence implicating the need for cross
20 examination, will be important to the case. I do expect the facts to be disp-
1 uted as I am now an inmate in prison to were the defendant will have exper-
2 ienced attornees who will use this against me in defense to get away from
3 the issues at hand complained of.

4 C there are factors legaly that will and have presented great difficulty for
5 me when it comes to research, I have never graduated and my mental health con-
6 dition will gravely affect me.

7 D there are also complex and difficulty of the case. were Im not sure who all
8 to sue and what all laws cival violated

Request for Counsel

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E.Also the fact that the case will be tried infront of a jury presents a
problem.I do not have a high degree of trial skills.
F.Infact Tommorow I may not even feel like responding to any court orders
because of my mental condition.
Well This request is respectfult submited.

Thank You

While at sanQeuntin State Prison I had Been Under mental health treatment and
Have been having problems mental health wise were I suffer from several mental
That have cuased me not to be able to concentrate or complete projects nor do
I stay focused.I am still Under treatment but am doing my best to try and file
this complaint.

I wrote the jail and requested Forms to No avail.They refuse to respond to any
of my letters.

So I contacted Internal Affairs 415 554-2380 Agent Quantico who came to The
Prison and Interviewed me concerning this claim and several other claims I told
Them about.

I Jeffery Walker Swere under Penalty of Perjury the foregoing statement is True

Jeffery Walker Date *1-28-08*
X-----Date-----
You can call the number noted above and ask for Agent Quantico

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I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27 day of January, 2008

Jeffrey Walker
(Plaintiff's signature)

Evidence E.O.P. For

Appointment of counsel

EXHIBIT B

California Medical Facility

CASE MANAGER PROGRESS NOTE for **Bipolar I Disorder**

Department of Corrections and Rehabilitation

| | | | | | | | | | | |
|--------|--------|------|--------|-------|---------|-------|--------|------|---------|-----|
| Number | F11343 | Last | Walker | First | Jeffery | House | L-314S | Date | 12/6/06 | CMF |
|--------|--------|------|--------|-------|---------|-------|--------|------|---------|-----|

The Controlling Axis I Diagnosis for this patient is:

Bipolar I Disorder, Most Recent Episode Depressed, Severe with Psychotic Features

Axis II

Paranoid Personality Disorder

Previous
Suicide Attempts

Yes

Number of
Previous Attempts

4

Axis III

Year of Last Attempt 2006

Pandering

Keyhea Expires Release Date

1/10/15

27

Current Problem List**Current Status****Risk Assessment**

Hypomania

Remains the same

Suicide Low

Paranoia

Appears to be getting worse

Aggressive Low

Suicidal Threats

Denies current suicide ideation

Self Injury Medium

Spell
check

Reason Seen

Consult

Date Seen

12/4/06

Unpredictable Low

Plan from last MH-2

Because of inmate's hypomania, paranoia, and threats to cut his wrists he should be considered for Keyhea in the future if he acts on his threats or otherwise meets Keyhea criteria. He was changed from CCCMS to GP on 7/3/06 but will be changed back to CCCMS per 11/22/06 IDTT decision. According to the NP he is no longer in need of OHU so will probably transfer soon to a CCCMS LOC unit.

Subjective

Patient returned to I-3 from L-3 on 12/3/06. He reported the following sxs as a result being double-celled: increased anxiety, shortness of breath, & flashbacks. He stated, "I'm like a time bomb", when reporting his emotional state. He reported AH that told him to get cellee before he gets to him; but stated that he may harm self first. He felt as though he was in harm's way because of family member in law enforcement & testimonial against custody staff in previous legal case. Also, endorsed having ESP as per "God's blessing."

Objective

Patient was casually dressed & neatly groomed. He was ambulatory; slender. He was cooperative & communicative. Mild psychomotor agitation noted. Speech rate, rhythm, & volume were WNL. Mood was dysthymic, affect was tearful, anxious. Thought content was on housing issues & safety; thought process was circular & illogical, but directable. Insight & judgment appeared to be poor. Patient denied any SI, endorsed possible harm to self; & maybe cellee. Endorsed AH; denied VH.

Assessment

Patient was oriented X3. He appeared to be more distressed & hypervigilant than at interview a few days ago. He was interviewed by Dr. McCarver & this writer. Referral to an Intermediate LOC Facility was considered, but not needed given patient's claim that he would harm self before others if not in single cell. At this time, he continues to not seem appropriate for CCCMS LOC.

Plan

Referred to Dr. James for medication evaluation. Patient refused medication. He will be referred to EOP LOC with temporary single cell until patient can be stabilized enough to return to CCCMS LOC.

EducationDate Arrived
on Wing 6/26/06

Clinician Mitchell

CASE MANAGER PROGRESS NOTES

MH-3

CCCMS

CDC# F11343

Last Walker

First Jeffery

DOB 9/18/63

Institution CMF

Eth Bla

House L-314s

Date Printed

12/6/06

Confidential Patient/Client Information

Department of Corrections

State of California

California Medical Facility

CASE MANAGER PROGRESS NOTE for **Bipolar I Disorder**

Department of Corrections and Rehabilitation

Number **F11343** Last **Walker** First **Jeffery** House **G-311L** Date **12/1/06** CMF

The Controlling Axis I Diagnosis for this patient is:

Bipolar I Disorder, Most Recent Episode Depressed, Severe with Psychotic Features

Axis II
Paranoid Personality Disorder

Previous Suicide Attempts ☒ Yes Number of Previous Attempts **4**

Year of Last Attempt **2006**

Axis III

Pandering

Keyhea Expires Release Date
1/10/15

Current Bipolar Score **27**
Previous Bipolar Score

Current Problem List

Current Status

Risk Assessment

Hypomania

Appears to be getting worse

Suicide Low

Paranoia

Appears to be getting worse

Aggressive Low

Suicidal Threats

Denies current suicide ideation

Self Injury Medium

Spell
Check

Reason Seen **Consult** Date Seen **12/1/06**

Unpredictable Low

Plan from last MH-2

Because of inmate's hypomania, paranoia, and threats to cut his wrists he should be considered for Keyhea in the future if he acts on his threats or otherwise meets Keyhea criteria. He was changed from CCCMS to GP on 7/3/06 but will be changed back to CCCMS per 11/22/06 IDTT decision. According to the NP he is no longer in need of OHU so will probably transfer soon to a CCCMS LOC unit.

Subjective

Consult requested by Unit ICC2 Prebula. Patient stated that he arrived at I-1 this afternoon & found that his 'S' suffix had been removed. He reported that he had single cell due to hx of violence toward cellee as result of "inappropriate touching" by a cellee in 1994. He attempted suicide & later became violent toward all celled. He stated that he has thoughts of harming his cellee, but doesn't want to hurt him. He feels angry, depressed, irritable, intrusive thoughts of past assault, & paranoia regarding current situation have increased.

Objective

Patient was casually dressed & neatly groomed. He was ambulator; slender. He was cooperative & communicative. No psychomotor agitation noted. Speech rate, rhythm, & volume were WNL. Mood was dysthymic, affect was tense, anxious. Thought content was on single cell needs; thought process was circumstantial, but directable. Insight & judgment appeared to be poor. Patient denied any SI, endorsed desire to harm cellee. No VH/AH endorsed or observed.

Assessment

Patient was oriented X3. He presented as distressed & hypervigilant. He is unpredictable per his report & presentation. As patient had just arrived to CCCMS, he had not yet received an interview or assessment by the team. At this time, he doesn't appear to be appropriate for placement in CCCMS; but requires a higher LOC.

Plan

Custody officers, CC2 Prebula & CC1 Haley, were advised & agreed to move patient to higher level of care. Patient was moved to EOP status for further evaluation & determination of appropriate housing needs.

Education

Date Arrived
on Wing **6/26/06**

Clinician **Mitchell**

[Signature]

CASE MANAGER PROGRESS NOTES
MH 3

Confidential Patient/Client Information

Department of Corrections
and Rehabilitation

State of California

GP

CDC# **F11343**

Last **Walker** First **Jeffery**

DOB **9/18/63** Institution **CMF**

Eth **Bla** House **G-311L**

Date Printed
12/1/06

California Medical Facility

CASE MANAGER PROGRESS NOTE for **Bipolar I Disorder**

Department of Corrections and Rehabilitation

| | | | | | | | | | | |
|--------|--------|------|--------|-------|---------|-------|--------|------|---------|-----|
| Number | F11343 | Last | Walker | First | Jeffery | House | G-311L | Date | 12/1/06 | CMF |
|--------|--------|------|--------|-------|---------|-------|--------|------|---------|-----|

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Axis II

Paranoid Personality Disorder

PreviousSuicide Attempts ☒ Yes**Number of**Previous Attempts ☐ 4**Axis III**

Year of Last Attempt

2006

Pandering

Keyhea Expires

Release Date

1/10/15

Current Signation

27

Previous Signation

Current Problem List

Hypomania

Current Status

Appears to be getting worse

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Denies current suicide ideation

Risk Assessment

Suicide Low

Aggressive Low

Self Injury Medium

Unpredictable Low

**Spell
Check**

Reason Seen

Consult

Date Seen

12/1/06

Plan from last MH-2

Because of inmate's hypomania, paranoia, and threats to cut his wrists he should be considered for Keyhea in the future if he acts on his threats or otherwise meets Keyhea criteria. He was changed from CCCMS to GP on 7/3/06 but will be changed back to CCCMS per 11/22/06 IDTT decision. According to the NP he is no longer in need of OHU so will probably transfer soon to a CCCMS LOC unit.

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Assessment

Patient was oriented X3. He presented as distressed & hypervigilant. He is unpredictable per his report & presentation. As patient had just arrived to CCCMS, he had not yet received an interview or assessment by the team. At this time, he doesn't appear to be appropriate for placement in CCCMS; but requires a higher LOC.

Plan

Custody officers, CC2 Prebula & CC1 Haley, were advised & agreed to move patient to higher level of care. Patient was moved to EOP status for further evaluation & determination of appropriate housing needs.

EducationDate Arrived
on Wing 6/26/06

Clinician Mitchell

*Ch Mitchell***CASE MANAGER PROGRESS NOTES**

MH 3

GP

CDC# F11343

Last Walker

First Jeffery

DOB 9/18/63

Institution CMF

Eth Bla

House G-311L

Date Printed

12/1/06

Confidential Patient/Client Information

Department of Corrections

Important Notice in filing to the court

If the court has questions as to the filing if late I would note the following:

1. I have been under mental health treatment since 2005 and have been continuous in mental health ever since in which has made my ability to file at times difficult due to a mental condition that inhibits me to stay focused or concentrate and other mental health issues.

See: Attached documents Medical also filed in a suit separate from this claim.

2. I put in for notice of proof of funds prior to any due dates and have inclosed a copy report dated 12-13-07 sent in 12-11-07 and just received on January 4, 07 notice for pick up date.

3. A copy of Legal deadline document is also placed in these documents of proof.

I swear under penalty of perjury the foregoing statements are true to my best ability to recall. x-----xDate-----

Jeffery Walker
JEFFERY WALKER

Jeffery walker f 11343

02/05/2008

CA MEDICAL FACILITY

RECEIVED

FEB - 1 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

fwd

U.S. COURT HOUSE

450 Golden Gate Ave

San Francisco CA 94102-34

Jeffery Walker F1154 S
CMF P.O. Box 2000
Vacaville CA 95696-2000